

**CRIMINAL DOCKET
UNITED STATES DISTRICT COURT**

71-CR-167

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
<p align="center">THE UNITED STATES</p> <p align="center">vs.</p> <p align="center">LOYD RAY BRAZEAL</p>	<p><i>For U. S.:</i></p> <p>Ben F. Baker U. S. Attorney</p> <p><i>For Defendant:</i> John Harlin, Jr. (Ct. Appt.) Wright Bldg. Tulsa, Oklahoma 74103</p>

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed <i>8-31-72 Reopening 11-30-71</i>	Clerk				
J.S. 3 mailed <i>1-31-72 9-30-72</i>	Marshal				
Violation T. 18, Sec 2312	Docket fee				
Title Dyer Act.					
Sec.					

DATE	PROCEEDINGS
11-9-71	Deft. present in person and represented by John Harlin, Jr. (Ct. Appt.) Govt. represented by Ben Baker. Deft. signs Waiver of Indictment in Open Court. Information filed. Deft. enters a plea of NOT GUILTY. Deft. given 10 days to file motions. Deft. to continue on bond. Case set for Jury Trial on Monday, November 29, 1971. (AEB-J)r
11-12-71	Case set for jury trial 11-29-71 at 10:00 a.m. (AEB-J)m
11-18-71	Application of Deft.'s Attorney, John K. Harlin, Jr., for Continuance, filed. v
11-23-71	Defendant Loyd Ray Brazeal present in person and represented by John K. Harlin, Jr., ct. appt. counsel. The govt represented by Ben F. Baker. It is ordered that defendant's application for continuance, not contested by govt, is granted, and case stricken from jury docket of 11-29-71 to be set on next jury docket. John K. Harlin, Jr. directed to prepare proper order. (AEB-J)h
11-24-71	Case transferred to Judge Bohanon for further proceedings. (AEB-J)m
11-24-71	Case reset for jury trial Monday, November 29, 1971. (LB-J)m
11-29-71	Case transferred to Judge Luther Bohanon for trial. (AEB-J)m
11-29-71	Case called for jury trial. Deft. present and represented. Case

(over)

DATE	PROCEEDINGS
11-30-71	passed for jury trial to 11-30-71 at 9:30 a.m. (LB-J)m
12-9-71	Case called for jury trial. Deft. present & represented. Upon govt's request, case passed for jury trial to 12-15-71 at 9:00 a.m. (LB-J)m
12-15-71	Return on subpoena to testify, filed. Served John Dudley, Lawrence Bump, Paul Hamilton, William Reed, , ds
12-15-71	Case tried to a jury. Deft. present and represented. Parties announce ready. Jury returns with verdict finding the deft. guilty. Jury polled and discharged. Deft. to remain on present bond of \$5,000 & remanded to U.S. Marshal. Sentencing passed. (LB-J)m (Bud Bailey-CSR)m
12-15-71	Trial exhibits, filed. (Only Pltff's #1)m
12-15-71	Court's instructions to the Jury, filed in open court. (LB-J)m
12-15-71	Verdict, filed in open court, finding deft. guilty. m
12-17-71	Motion for New Trial, by the Deft., filed. v
12-22-71	Return on Subpoena To Testify, filed. Served John Null in Weatherford, Okla. on 12-10-71 and 12-11-71, with fees of \$19.70. v
12-22-71	Return on Subpoena To Testify, filed. Served William Reed in Torrance, California on 12-7-71, with fees of \$6.08. v
12-22-71	Return on Subpoena To Testify, filed. Served Lawrence Bump in Claremore, Okla., on 12-7-71 and on 12-10-71 with fees of \$10.40. v
12-22-71	Return on Subpoena To Testify, filed. Served Paul Hamilton in Claremore, Okla., on 10-7-71 and on 12-9-71, with fees of \$9.44. v
12-22-71	Return on Subpoena To Testify, filed. Served John Dudley in Claremore, Okla., on 12-7-71 and on 12-9-71, with fees of \$2.00. v
1-4-72	Case set for sentence and hearing on def's motion for new trial, 1/12/72 at 9:30 a.m. (LB-J) rm
1-12-72	Case called for sentencing and hearing on deft's motion for new trial. Deft. present and represented. Motion overruled. Pltff. to prepare order. Deft. & counsel asked if they have anything to say before sentence. Judgment and Sentence - Loyd Ray Brazeal A/G - Five (5) Years It is adjudged that the deft. pay a fine unto the United States in the amt. of \$1,000.00. The Court states that the govt. will pay cost of appeal if deft. files a pauper's affidavit. Bond to remain at same amt. (\$5,000)(LB-J)(Bud Bailey-CSR)hm
1-12-72	Judgment and commitment, filed and entered. (LB-J)hm
1-12-72	Two c/c of J&C delivered to U.S. Marshal. hm
1-12-72	Affidavit to accompany motion for leave to appeal in forma pauperis, filed. (Approved by LB-J)hm
1-13-72	Notice of intent to appeal, filed. rm (copies to USDA's office & USCA)
1-13-72	Order for transcript of proceedings at govt/ expense, filed. (LB-J)g <i>copy to Bailey</i>
1-13-72	Order overruling deft's motion for new trial, filed and entered. (LB-J)hm <i>Copies mailed</i>
2-8-72	Return on Judgment and Commitment, filed. Executed by delivering Deft. on 1-12-72 to Tulsa Co. Jail, Tulsa, Okla.--Deft. noted appeal on 1-13-72--further executed by delivering Deft. on 1-24-72 to U.S. Penitentiary at Leavenworth, Kansas. v
2-14-72	Transcript of trial proceedings (orig. + 2 cpies), filed. g (Bud Bailey,CSR)
2-16-72	Appeal record (orig. + 3 cpies) 2 vols., forwarded to USCA, Denver. g
8-16-72	Mandate & Opinion of USCA, 10th Circuit, reversing judgment of 1-12-72, remanding case for a determination of whether any additional evidence

D. C. 109A
CRIMINAL DOCKET

Sheet 2, page 3

DATE	PROCEEDINGS
	might be produced by the government to warrant a retrial; if not, a judgment of acquittal shall be entered, filed & spread of record. g
8-31-72	Case set for jury trial and disposition 9-21-72 at 9:30 a.m. (LB-J)hm
9-6-72	Petition for writ of habeas corpus ad prosequendum, filed. hm
9-6-72	Order granting writ of habeas corpus ad prosequendum, filed. (LB-J)hm
9-6-72	Writ issued. hm
9-18-72	Appeal record (2 vols.) rec'd. from USCA. g
9-21-72	Case called for jury trial & disposition. Govt. announces ready for trial. Deft. withdraws plea of Not Guilty and enters a plea of GUILTY. Deft. adjudged GUILTY as charged. Deft. is sentenced by the Court to a time to begin on the date of arrest and to terminate on this date. It is adjudged that the deft. is placed on probation for six (6) months from this date. (LB-J)hm
9-21-72	Judgment and commitment, filed and entered. (LB-J)hm
9-21-72	Two c/c of J&C delivered to U.S. Marshal & two c/c delivered to U.S. Probation officer. hm
10-5-72	Marshal's return of service of Writ of H.C. ad prosequendum, filed. Same executed on 9/12/72. rm

DATE	PROCEEDINGS